

FILED  
NOV 20 2008

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

STEVEN W. TAYLOR,

Plaintiff,

v.

MICHAEL J. ASTRUE, Commissioner  
of Social Security,

Defendant.

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Civil Case No. 08-383-ST

ORDER

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KING, Judge:

The Honorable Janice Stewart, United States Magistrate Judge, filed Findings and Recommendation on October 24, 2008. The matter is before this court. See 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). No objections have been timely filed. This relieves me of my obligation to give the factual findings de novo review. Lorin Corp. v. Goto & Co., Ltd., 700 F.2d 1202, 1206 (8th Cir. 1983); See also Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983). Having reviewed the legal principles de novo, I find no error.

Accordingly, I ADOPT Magistrate Judge Stewart's Findings and Recommendation (#14).

IT IS HEREBY ORDERED that the Commissioner's Motion to Dismiss (#8) is denied. This action is remanded to the Appeals Council for review pursuant to 20 C.F.R. §§ 404.967-.968.

DATED this 20<sup>th</sup> day of November, 2008.

  
GARR M. KING  
United States District Judge